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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,992	04/08/2004	Michael A. Keith	4735	9045

33417 7590 04/24/2006

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EXAMINER	
PARSLEY, DAVID J	

ART UNIT	PAPER NUMBER
3643	

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/820,992	KEITH ET AL.	
	Examiner	Art Unit	
	David J. Parsley	3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Amendment

1. This office action is in response to applicant's amendment dated 2-22-06 and this action is final.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4/1, 5/1, 6/1, 8/1 and 9/1 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,450,795 to Adelman.

Referring to claim 1, Adelman discloses a less lethal projectile comprising, a hollow body container – at the combination of 10,15,26,30, having a closed front end – at 26, and an open rear end – at the rear of 30, filled with a high density filler – at 20, a closure – see at the bottom of item 30 in figure 5, to seal the open rear end of the hollow body container to seal the filler in the container – see for example figure 5, a bore rider stabilizer – at 25, attached to the rear of the closure – see for example figure 5, the bore-rider stabilizer comprising a fabric or film having a low coefficient of friction – see for example column 3 lines 46-66.

Referring to claim 4/1, Adelman discloses the body of the container is made of a woven fabric, plastic or rubber – see for example column 3 lines 6-20.

Referring to claim 5/1, Adelman discloses the high density filler – at 20, comprises steel, lead or ceramic shot, silica beads, metal beads, metal powder or mixtures thereof – see for example column 3 lines 21-45.

Referring to claim 6/1, Adelman discloses the high-density filler is contained within a frangible pouch or capsule or formed into a pellet – see for example figure 5 and column 3 lines 7-45.

Referring to claim 8/1, Adelman discloses the bore rider stabilizer – at 25, comprises a plurality of tail lobes – at 25 – see for example figure 5.

Referring to claim 9/1, Adelman discloses the bore rider stabilizer is a single layer of material made of high density polyethylene, ultra high molecular weight polyethylene, polytetrafluorethylene coated glass cloth or 3-5 mil polyester – see for example column 3 lines 46-66.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 4/2, 5/2, 6/2, 8/2, 9/2 and 12/2 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,655,294 to Kerr in view of Adelman.

Referring to claim 2, Kerr discloses a less lethal projectile comprising a finger shaped woven fabric container – at 15-16, 22, 24-25, 33, 36, having a closed end and an open end – see for example figures 1-4, the container filled with a high-density filler – at 23, a spool closure – at 28, having a bore hole therein – see at the interior of 28 in figures 4 and 6, which fits inside of the open end of the fabric container – see figure 4, a sealer – at 34-1, 34-2, which fits tightly around the spool closure to seal the filler in the container – see for example figures 2-5. Kerr does not disclose a bore-rider stabilizer attached to the rear of the closure, the bore rider stabilizer comprising a fabric or film having a surface with a low coefficient of friction. Adelman does disclose a bore-rider stabilizer – at 25, attached to the rear of the closure – see figure 5, the bore rider stabilizer comprising a fabric having a surface with a low coefficient of friction – see for example column 3 lines 46-66. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Kerr and add the bore stabilizer of Adelman, so as to allow for the impact force of the projectile to be transferred over an increased area. Kerr further does not disclose a binder attached into the borehole of the spool. Adelman does disclose a binder – at 20, attached into the borehole of the spool – at 30 – see figures 3-5 and column 3 lines 20-45. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Kerr and add the binder of Adelman, so as to allow for the filler material to be securely held in place during use.

Referring to claim 4/2, Kerr as modified by Adelman further discloses the body of the container – at 15-16, 22, 24-25, 33, 36, of Kerr or at – 10,15,26,30 of Adelman, is made of a

woven fabric, plastic or rubber – see for example column 4 lines 35-67 of Kerr and see for example column 3 lines 6-20.

Referring to claim 5/2, Kerr as modified by Adelman further discloses the high density filler comprises steel, lead or ceramic shot, silica beads, metal beads, metal powder or mixtures thereof – see for example at 23 and column 4 lines 35-51 and at 20 and column 3 lines 21-45 of Adelman.

Referring to claim 6/2, Kerr as modified by Adelman further discloses the high density filler is contained within a frangible pouch or capsule or formed into a pellet – see at 28 of Kerr and see – at 26 of Adelman.

Referring to claim 8/2, Kerr as modified by Adelman further discloses the bore rider stabilizer – at 25 of Adelman comprises a plurality of tail lobes – see for example figure 5 of Adelman.

Referring to claim 9/2, Kerr as modified by Adelman further discloses the bore rider stabilizer is a single layer of material made of high density polyethylene, ultra high molecular weight polyethylene, polytetrafluorethylene coated glass cloth or 3-5 mil polyester – see for example column 3 lines 46-66 of Adelman.

Referring to claim 12/2, Kerr as modified by Adelman further discloses a fabric container – at 15-16, 22, 24-25, 33, 36, having a loose weave, which allows radial expansion upon impact – see for example column 4 lines 35-67 of Kerr.

Claims 3, 4/3, 5/3, 6/3, 8/3, 9/3 and 12/3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,202,562 to Brunn et al. in view of Adelman.

Referring to claim 3, Brunn et al. discloses a less lethal projectile comprising a fabric body container – at 32,46,48, having a closed front end and an open rear end – see for example figure 2, filled with a high-density filler – at 42, a spool – at 50, having a hole through it – see for example figures 3-3b, through which to pass the rear end of the fabric body – see for example figures 3a-3b, and an adhesive – at 44, to seal the rear end of the fabric in the hole of the spool – see for example figures 3-3b. Brunn et al. does not disclose a bore rider stabilizer attached to the rear of the closure, the bore rider stabilizer comprising a fabric or film having a low coefficient of friction. Adelman does disclose a bore-rider stabilizer – at 25, attached to the rear of the closure – see figure 5, the bore rider stabilizer comprising a fabric or film having a surface with a low coefficient of friction – see for example column 3 lines 46-66. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Brunn et al. and add the bore stabilizer of Adelman, so as to allow for the impact force of the projectile to be transferred over an increased area.

Referring to claim 4/3, Brunn et al. as modified by Adelman further discloses the body of the container – at 32 of Brunn et al. or – at 10,15,26,30 of Adelman, is made of a woven fabric, plastic or rubber – see for example column 2 lines 49-60 of Brunn et al. and column 3 lines 6-20.

Referring to claim 5/3, Brunn et al. as modified by Adelman further discloses the high density filler comprises steel, lead or ceramic shot, silica beads, metal beads, metal powder or mixtures thereof – see at 42 and column 2 lines 48-60 of Brunn et al. and at – 20 and column 3 lines 21-45.

Referring to claim 6/3, Brunn et al. as modified by Adelman further discloses the high density filler is contained within a frangible pouch or capsule or formed into a pellet – see for

example at 32 of Brunn et al. and – see for example figure 5 and column 3 lines 7-45 of Adelman.

Referring to claim 8/3, Brunn et al. as modified by Adelman further discloses the bore rider stabilizer – at 25 of Adelman comprises a plurality of tail lobes – see for example figure 5 of Adelman.

Referring to claim 9/3, Brunn et al. as modified by Adelman further discloses the bore rider stabilizer is a single layer of material made of high density polyethylene, ultra high molecular weight polyethylene, polytetrafluorethylene coated glass cloth or 3-5 mil polyester – see for example column 3 lines 46-66 of Adelman.

Referring to claim 12/3, Brunn et al. as modified by Adelman further discloses a fabric container – at 32, having a loose weave, which allows radial expansion upon impact – see for example column 2 lines 49-60 of Brunn et al.

Claim 12/1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of Brunn et al. Adelman does not disclose a fabric container having a loose weave, which allows radial expansion upon impact. Brunn et al. does disclose fabric container – at 32, having a loose weave, which allows radial expansion upon impact – see for example column 2 lines 49-60. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman and add the fabric container of Brunn et al., so as to allow for the device to be made non-lethal.

Claim 7/1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of U.S. Patent No. 5,898,125 to Mangolds et al. Adelman does not disclose the closure comprises a round, drum shaped body having a hole in the

center and a circumferential groove. Mangolds et al. does disclose the closure – at 38, comprises a round, drum shaped body – see figure 4, having a hole in the center – see figure 4 and a circumferential groove – see at the ends of 38, and an o-ring – at 26,36, fitted into the circumferential groove – see figure 4. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman and add the closure structure of Mangolds et al., so as to allow for the projectile to be securely held in the cartridge.

Claim 7/2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of U.S. Patent No. 5,898,125 to Mangolds et al. Adelman does not disclose the closure comprises a round, drum shaped body having a hole in the center and a circumferential groove. Mangolds et al. does disclose the closure – at 38, comprises a round, drum shaped body – see figure 4, having a hole in the center – see figure 4 and a circumferential groove – see at the ends of 38, and an o-ring – at 26,36, fitted into the circumferential groove – see figure 4. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman and add the closure structure of Mangolds et al., so as to allow for the projectile to be securely held in the cartridge.

Claim 7/3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of U.S. Patent No. 5,898,125 to Mangolds et al. Adelman does not disclose the closure comprises a round, drum shaped body having a hole in the center and a circumferential groove. Mangolds et al. does disclose the closure – at 38, comprises a round, drum shaped body – see figure 4, having a hole in the center – see figure 4 and a circumferential groove – see at the ends of 38, and an o-ring – at 26,36, fitted into the circumferential groove – see figure 4. Therefore it would have been obvious to one of ordinary

skill in the art to take the device of Adelman and add the closure structure of Mangolds et al., so as to allow for the projectile to be securely held in the cartridge.

Claim 10/1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of Mangolds et al. Adelman does disclose a first fabric layer – at 25. Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction. Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements.

Claim 10/2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kerr as modified by Adelman as applied to claim 2 above, and further in view of Mangolds et al. Kerr as modified by Adelman discloses a first fabric layer – at 25 of Adelman. Kerr as modified by Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction. Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Kerr as modified by Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements.

Claim 10/3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brunn et al. as modified by Adelman as applied to claim 3 above, and further in view of Mangolds et al. Brunn et al. as modified by Adelman discloses a first fabric layer – at 25 of Adelman. Brunn et al. as

modified by Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction. Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Brunn et al. as modified by Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements.

Claim 11/1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adelman as applied to claim 1 above, and further in view of Mangolds et al. Adelman does disclose a first fabric layer – at 25, made of a high density polyethylene or ultra high molecular weight polyethylene – see for example column 3 lines 46-66. Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction. Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements. Adelman as modified by Mangolds et al. does not disclose the second layer is made of a polyester film or cellulose acetate. However, this limitation is a characteristic found through experimentation and therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman as modified by Mangolds et al. and add the second layer made of a polyester film or cellulose acetate, so as to allow for the device to be protected from outside elements.

Claim 11/2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kerr as modified by Adelman as applied to claim 2 above, and further in view of Mangolds et al. Kerr as modified by Adelman further discloses a first fabric layer – at 25, made of a high density polyethylene or ultra high molecular weight polyethylene – see for example column 3 lines 46-66 of Adelman. Kerr as modified by Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction. Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Kerr as modified by Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements. Kerr as modified by Adelman and Mangolds et al. does not disclose the second layer is made of a polyester film or cellulose acetate. However, this limitation is a characteristic found through experimentation and therefore it would have been obvious to one of ordinary skill in the art to take the device of Kerr as modified by Adelman and Mangolds et al. and add the second layer made of a polyester film or cellulose acetate, so as to allow for the device to be protected from outside elements.

Claim 11/3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brunn et al. as modified by Adelman as applied to claim 3 above, and further in view of Mangolds et al. Brunn et al. as modified by Adelman further discloses a first fabric layer – at 25, made of a high density polyethylene or ultra high molecular weight polyethylene – see for example column 3 lines 46-66 of Adelman. Brunn et al. as modified by Adelman does not disclose the bore-rider stabilizer comprises two layers, a first fabric layer and a second layer having a low coefficient of friction.

Mangolds et al. does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55. Therefore it would have been obvious to one of ordinary skill in the art to take the device of Brunn et al. as modified by Adelman and add the two layers of Mangolds et al., so as to allow for the device to be protected from outside elements. Brunn et al. as modified by Adelman and Mangolds et al. does not disclose the second layer is made of a polyester film or cellulose acetate. However, this limitation is a characteristic found through experimentation and therefore it would have been obvious to one of ordinary skill in the art to take the device of Brunn et al. as modified by Adelman and Mangolds et al. and add the second layer made of a polyester film or cellulose acetate, so as to allow for the device to be protected from outside elements.

Response to Arguments

4. Regarding claim 1, the Adelman reference US 5450795 does disclose the container comprising item 30 and the portion – at 30 is part of the device and thus is part of the projectile. Further, the stabilizer – at 25, is attached to all of the components of the device as seen in figure 5, in that the stabilizer – at 25 is either connected directly or indirectly to all of the other components of the device as seen in figure 5. Further, item 25 of the Adelman reference can be an aerodynamic stabilizer as seen in column 4 lines 21-36. Further, applicant alleges that the stabilizer – at 25 of the Adelman reference would burn up in the barrel of the weapon from which the projectile is fired. However, this is merely an allegation and is not substantiated with facts and therefore this argument is not persuasive.

Regarding claims 4/1, 6/1 and 8/1 applicant relies upon the arguments with respect to claim 1 of the stabilizer not being attached to the rear of the projectile. See the response to these arguments above in this paragraph of the office action.

Regarding claim 9/1, applicant compares the intended use of the Adelman reference with the intended use of applicant's invention and does not offer any arguments why the Adelman reference does not disclose the claimed structural features of the claimed invention. Therefore this argument is moot.

Regarding claims 2, 4/2, 5/2, 6/, 8/2, 9/2 and 12/2, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding claims 3, 4/3, 5/3, 6/3, 8/3, 9/3 and 12/3, the Brunn et al. reference US 6202562 does disclose a container – at 50, which is connected to the portions – at 32-48 as seen in figures 3a-3b and thus is part of the projectile device. Further, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding claim 12/1, the Adelman reference discloses the fabric is flexible as seen in column 3 lines 45-62. Therefore, since the fabric is flexible it is deemed as having a loose weave which would allow for some expanding of the material thus making the material loose.

Applicant's arguments with respect to claims 7/1, 7/2 and 7/3 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 10/1, 10/2 and 10/3 the Mangolds et al. reference US 5898125 does disclose two layers – at 34 and 76, a first fabric layer – at 34 and a second layer – at 76, having a low coefficient of friction – see for example column 5 lines 17-55.

Regarding claim 11/1, the Adelman reference in view of the Mangolds et al. reference discloses the claimed materials except for the second layer as seen in column 3 lines 46-66 of Adelman and 5 lines 17-55 of Mangolds et al. Adelman as modified by Mangolds et al. does not disclose the second layer is made of a polyester film or cellulose acetate. However, this limitation is a characteristic found through experimentation and it appears that the device of Adelman as modified by Mangolds et al. would perform equally as well with the second layer being made of a polyester film or cellulose acetate, and therefore it would have been obvious to one of ordinary skill in the art to take the device of Adelman as modified by Mangolds et al. and add the second layer made of a polyester film or cellulose acetate, so as to allow for the device to be protected from outside elements.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890. The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Parsley
Patent Examiner
Art Unit 3643

PETER M. POON
SUPERVISORY PATENT EXAMINER

4/18/06